

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA

Plaintiff,

Case No. 09-CR-043-SPF

v.

LINDSEY KENT SPRINGER,
OSCAR AMOS STILLEY

Defendants

MOTION TO DISMISS COUNT ONE FOR LACK OF ARTICLE III SUBJECT MATTER
JURISDICTION, ARTICLE III JURISDICTION OF THE FACTS AND VENUE

Lindsey Kent Springer ("Springer") moves the United States' Northern Oklahoma Judicial District Court pursuant to Federal Rules of Criminal Procedure 12(b)(3)(B) to dismiss Count One for lack of Article III Subject Matter Jurisdiction, lack of Article III Jurisdiction of the facts and Article III venue.

The genius of this Motion is premised upon the undisputed fact neither the President of the United States of America under Title 26, Section 7621, or the Secretary, under Executive Order or by any delegation, since 2000, established "internal revenue districts," one of which surrounding the State of Oklahoma and this judicial district. Nor do any district director office, officer or official, surrounding the boundaries of the State of Oklahoma or this judicial district exist or is established by law during all relevant times of the indictment. The IRS is a creation of the Secretary at 26 CFR § 601.101 and that without such internal revenue district or

district director there is no "lawful function" to perform by the Secretary, that is authorized by law to be performed, either within this judicial district or the State of Oklahoma. There is no proper delegation of authority from the Secretary otherwise.

Springer also moves to dismiss due to the lack of any regulations prescribed by the Secretary making Springer the person "liable" for any "tax" levied or imposed on any "taxable income" of Springer, married or not, respectively. Obviously, without Article III subject matter jurisdiction and Article III jurisdiction of the facts or over the alleged "offense," the United States' Northern Oklahoma Judicial District Court would lack any Article III venue to consider any of the claims in Count One.

A Brief is filed simultaneously in support of this Motion.

Respectfully Submitted
/s/ Lindsey K. Springer
Lindsey K. Springer
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Tulsa, Oklahoma 74135
918-748-5539/955-8225(cell)

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of Lindsey Kent Springer's Motion to Dismiss Counts Two, Three, Four, Five and Six, for lack of Article III subject matter jurisdiction, jurisdiction of the facts, and venue, was ecf'd on January 20, 2010 to:

Kenneth P. Snoke,
Charles O'Reilly,
Oscar Stilley

/s/ Lindsey K. Springer
Signature